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004/006

Application Serial Number 10/528,753
Response to Office Action
Dated February 2, 2007

REMARKS / DISCUSSION OF ISSUES

Claims 1-3 and 5-11 are pending in the application. Claim 1 is independent.

Rejections Under 35 U.S.C. § 102

Claims 1-5 and 7-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Killcommons (U.S. Patent 4907976). For at least the following reasons Applicants submit that the pending claims are patentable over the applied art.

At the outset Applicants rely at least on the following standards with regard to proper rejections under 35 U.S.C. § 102. Notably, a proper rejection of a claim under 35 U.S.C. § 102 requires that a single prior art reference disclose each element of the claim. *See, e.g., W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983). Anticipation requires that each and every element of the claimed invention be disclosed in a single prior art reference. *See, e.g., In re Paulsen*, 30 F.3d 1475, 31 USPQ2d 1671 (Fed. Cir. 1994); *In re Spada*, 911 F.2d 705, 15 USPQ2d 1655 (Fed. Cir. 1990). Alternatively, anticipation requires that each and every element of the claimed invention be embodied in a single prior art device or practice. *See, e.g., Minnesota Min. & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc.*, 976 F.2d 1559, 24 USPQ2d 1321 (Fed. Cir. 1992). For anticipation, there must be no difference between the claimed invention and the reference disclosure, as viewed by a person of ordinary skill in the field of the invention. *See, e.g., Scripps Clinic & Res. Found. v. Genentech, Inc.*, 927 F.2d 1565, 18 USPQ2d 1001 (Fed. Cir. 1991).

Claim 1 is drawn to a connector and features:

*contact pins emerging below said lower surface to contact a board, and
a cavity in said upper surface to receive a circuit comprising contact tabs, said
cavity comprising contact surfaces connected to said contact pins and to contact said
contact tabs, and*

holding means for holding the circuit in the cavity.

Thus, the connector features contact pins, contact tabs and holding means.

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Notably three separate elements are featured. The Office Action attempts to cobble a rejection of all three components, the contact pins emerging below the lower surface, the contact tabs and the holding means, from one element disclosed in the applied art; namely the lower portion 32 of the contact. Accordingly, Applicants respectfully submit that only one disclosed feature is applied to three elements of claim 1. Therefore, the reference cannot disclose all elements of the claim, and the applied art fails to anticipate claim 1 as alleged.

For at least the reasons set forth above, claim 1 is patentable over the applied art. Moreover, claims 2-3 and 5-11, which depend from claim 1, are also patentable for at least the same reasons.

Conclusion

In view the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance.

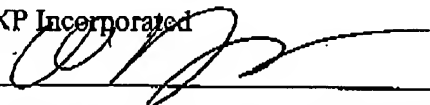
If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any additional fees, including, but not limited to, the fees under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted on behalf of:

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Date: August 2, 2007

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